



IT IS ORDERED as set forth below:

Date: November 19, 2021

Sage M. Sigler
U.S. Bankruptcy Court Judge

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:

UA INVESTMENTS LLC,
Debtor.

PALAK CAPITAL INVESTMENTS LLC,
Movant,

v.

UA INVESTMENTS LLC,
Respondent.

CASE NO. 21-57429-sms
CHAPTER 11

CONTESTED MATTER

ORDER

This matter is before the Court on the *Motion to Annul Stay and Validate Post-petition Foreclosure Sale (Including Emergency Request to Cry Pending Foreclosure Sale)*, or in the *Alternative, Motion for Relief From Stay* (the “Motion”) filed by Palak Capital Investments LLC (“Movant”) on October 4, 2021 (Doc. No. 4). The Court held an initial hearing on the Motion on

October 5, 2021. By order entered on October 5, 2021 (Doc. No. 8), the Court granted the Motion in part, thereby modifying the automatic stay permitting Movant to exercise its state law and contractual rights with respect to the real property commonly known as 1600 & 1608 Shorter Avenue, Rome, Georgia 30185 (the “Property”) to permit Movant to cry the foreclosure sale scheduled for October 5, 2021 on the Property (the “Foreclosure Sale”) and to conditionally accept the highest bid at the Foreclosure Sale pending further order of this Court. Movant cried the Foreclosure Sale, submitted its credit bid, and was the conditional successful purchaser of the Property. Movant did not record the deed under power pending further order from this Court.

The Court set a final hearing on the Motion for November 17, 2021 (the “Final Hearing”). Present at the Final Hearing were Aaron Anglin on behalf of Movant, Lindsay Kolba on behalf of the United States Trustee, and Eric Thorstenberg on behalf of UA Investments LLC. Debtor’s manager, Mohammad Gaffar, was also present at the Final Hearing. The Court having heard the arguments of counsel and having read and considered the Motion and matters of record in this bankruptcy case, for cause shown and for the reasons stated on the record, it is hereby **ORDERED** that the Motion be, and the same hereby is, **GRANTED** as follows:

1. The automatic stay provided by 11 U.S.C. § 362(a) is hereby **ANNULLED** pursuant to 11 U.S.C. § 362(d) with respect to the Property as of, and retroactive to, the petition date, October 4, 2021.
2. The crying of the Foreclosure Sale with respect to the Property on October 5, 2021 was not in violation of the automatic stay.
3. Movant is permitted to complete the Foreclosure Sale to the extent not already completed, including without limitation recording the deed under power.

4. This Order is effective upon entry and is not stayed under Federal Rule of Bankruptcy Procedure 4001.

[END OF DOCUMENT]

Prepared and presented by:

JONES & WALDEN LLC

/s/ Aaron Anglin

Aaron Anglin

Georgia Bar No. 585863

Attorneys for Movant

699 Piedmont Ave., NE

Atlanta, Georgia 30308

(404) 564-9300

aanglin@joneswalden.com

Distribution List:

Aaron Anglin, Jones & Walden LLC, 699 Piedmont Ave., NE, Atlanta, Georgia 30308

Eric Thorstenberg, Eric E. Thorstenberg, Attorney at Law, Suite 101, 333 Sandy Springs Circle, Atlanta, GA 30328

Lindsay P. S. Kolba, Office of the U.S. Trustee, Suite 362, 75 Ted Turner Drive, S.W., Atlanta, GA 30303

UA Investments LLC, 311 Heritage Park Trce NW, Kennesaw, GA 30144-4832